

Criminal Justice Services Board
Minutes
September 13, 2007

Members Present

Sheriff Beth Arthur
Ms. Nancy St. Clair Finch
The Honorable Robert L. Bushnell
Mr. Jeff Dion
Ms. Helen Fahey
Mr. Sherman Carl Vaughn, Sr.
Chief James R. Lavinder
Mr. Edward Macon
Ms. Cookie Scott
Mr. Sam Abed (Proxy for Barry Green)
Dr. Jay Malcan
Capt. Lenmuel Terry (Proxy for Colonel Steve W. Flaherty)
Sgt. Charles Condon
Mr. Walter A. McFarlane
Mr. Alfred T. Dowe, Jr.
Sheriff Charles Phelps
Mr. Bill Muse (Proxy for Marla Decker)
Mr. Christopher R. Webb
The Honorable Marcus D. Williams
Delegate Beverly Sherwood

DCJS Staff Present

Leonard G. Cooke
B.J. Northington
Priscilla Bowers
John Colligan
Loretta Lynch
Leon Baker
Eileen Guertler
Joe Marshall
Janice Waddy
Mandie Patterson
Neadie Lee
Kathi Lee

Members Absent

The Honorable Archer L. Yeatts, III
Delegate Robert Hurt
Senator Kenneth W. Stolle
Senator Frederick M. Quayle
Ms. Jerri Smith
Mr. Jonathan McGrady
Ms. D.J. Geiger
Chief A.M. "Jake" Jacocks
Mr. Kevin S. Hodges

Guests

Ms. Jacklyn Verela
Ms. Terry Willie-Surrat
Ms. Sandra Abbott
George Haudricourt
Chris Bridge
Martin R. Alford
Mike Trace
Stephen D. Para
Landon White
Scott Spradlin
Grant Warren
Allen Davidson

DCJS Staff Present (cont'd)

Rick Arrington
Roz Trent
Shelia Anderson
Craig Hartley
Eunice Kendall
Ernie O'Boyle
Heather D'Amore
Melissa O'Neill
Laurel Marks
Dan Catley
Ashaki McNeil

Call to Order

Chairwoman Arthur called the meeting to order at 11:00 a.m. in House Room "D" of the General Assembly Building.

Chairwoman Arthur began the meeting by thanking all board members present for attending the meeting today. She then reminded guests and staff of DCJS to please sign in for the purpose of the minutes. Chairwoman Arthur also reminded all Board members to please state their name when making a motion and when seconding, and to ensure that their microphones were turned on at their seating area, and to please speak clearly for the purpose of the minutes.

Chairwoman Arthur then introduced Loretta Lynch, new Administrative Assistant in the Director's office and stated that she would be assisting Priscilla with the day-to-day administrative office duties.

Chairwoman Arthur then asked Priscilla Bowers to take the roll. Ms. Bowers proceeded to call the roll and stated that there was a quorum with **20** members present. Chairwoman Arthur thanked Mr. Abed, Mr. Muse and Captain Terry for attending the meeting today in the absence of respective Board members.

Chairwoman Arthur announced to the Board that the department had received notice from the Secretary of the Commonwealth office that Mr. Kevin Hodges has been reappointed for a second term beginning July 1, 2007- June 30, 2011.

Chairwoman Arthur also announced the presence of Ms. Jacklyn Verela, who was in attendance representing the Office of the Secretary of Public Safety. She then welcomed her and thanked her for attending.

Chairwoman Arthur reported that Ms. D.J. Geiger, representative for Mr. David Johnson, Executive Director for the Virginia Indigent Defense Commission, would no longer be the representative for Mr. Johnson. The department received notice from Mr. Johnson that he has designated Ms. Danielle Ferguson as his representative effective with her attendance at the December meeting.

Chairwoman Arthur mentioned that the Executive Committee Meeting that she said would take place today is being postponed until a future meeting. She also stated that we are looking to schedule a new member orientation and a grants management process overview. Should other members of the Board like to sit in on this orientation, they are welcome to do so. She further stated that we will also give an update on the new subcommittees in the near future to see how this new formation is working out. Chairwoman Arthur also stated that we have a couple of local program presentations on the agenda for today.

Approval of Minutes

Chairwoman Arthur called for a motion to accept the minutes of the June 14, 2007 Criminal Justice Services Board meeting.

It was noted by Mr. Edward Macon, the correct spelling of Ms. Katya Herndon's last name, which was incorrectly spelled on page 1 of the minutes. With no other changes noted, Chairwoman Arthur called for a motion to accept the minutes of the June 14, 2007 Criminal Justice Services Board. With no further corrections or questions, a motion to adopt the June 14, 2007 minutes was made by Judge Williams and seconded by Mr. Dowe. The motion was granted to approve the minutes with 1 correction as noted. Chairwoman Arthur stated that the minutes from the June 14, 2007 meeting were unanimously approved with noted corrections.

The following members abstained from voting to approve the minutes due to their absence at the June 14 meeting:

Mr. Edward Macon
Mr. Sam Abed
Mr. Bill Muse
Sgt. Charles Condon

Director's Report

Chairwoman Arthur then called upon Director Cooke to give a brief Director's Report. Director Cooke thanked everyone for attending the meeting and began his report as follows:

Director Cooke began by requesting everyone to join him in offering his congratulations to Chief James R. Lavinder of the Roanoke County Police Department upon his recent inauguration as the President of the Virginia Association of Chiefs of Police. Director Cooke added that he knew the VACP would be in good hands during Chief Lavender's leadership.

VT Review Panel Report

Director Cooke reported that as everyone is aware that the Governor's Virginia Tech Review Panel issued its final report; a thorough review of the tragic events on the Tech campus last April. We, like many state agencies will be reviewing the report to identify any issues and recommendations that we should respond to, or determine if there are any other ways DCJS can contribute. We will be reporting the results of our review back to the Secretary of Public Safety and the Governor in the near future. Director Cooke mentioned; in the meantime, we would like to update the Board on our ongoing campus security work and that they would hear from Mr. Leon Baker on this subject shortly.

Budget

Director Cooke then went on to speak on what everyone in local or state government in Virginia knows by now regarding the slowdown in the economy that has resulted in state revenues not meeting the projections on which the current budget was raised. In response, the Governor has tasked all state agencies (DCJS included) to work in consultation with their respective Cabinet Secretaries to come up with plans for reducing operating budgets within each Secretariat. He further stated that these plans are being submitted now and would be reviewed by the Secretaries and the Governor in the coming weeks. The specifics of the Governor's plan will be submitted to the legislature later this year as part of his biennial budget.

Criminal Justice Plan Update

Director Cooke reported that at the June meeting he gave an overview of our project to develop a Criminal Justice (CJ) Plan. That process involves convening an Oversight Committee that includes several members of the Board in their capacities as agency heads, and a series of regional focus group meetings around the state to get input from a wide range of professionals. Since June, we have met with the Oversight Committee and have received some excellent feedback and suggestions that we have incorporated into our work. This month, we will be conducting the regional focus group meetings throughout the state. So far, we have met with five focus groups and we have three more to go. We have had good participation by criminal justice and related professionals at each meeting and the meetings have been very productive. We are currently planning on putting up a CJ Plan website as a way to keep focus group participants and others tuned in to the process and to give them a mechanism to provide additional feedback if they wish. Director Cooke stated that we will keep the Board posted on the progress as it develops.

JAG Schedule

Director Cooke stated that we are currently in the process of reviewing and revising the guidelines we issue for our JAG program and would be laying out a timeline for soliciting grant applications for "new starts". Our intention, he stated, is to return to the fiscal year cycle; so we expect to issue the guidelines and solicitation for new starts later this fall with applications due to us in the February to March timeframe next year. July 1, 2008 would be the start date for approved grants.

Newsletter Resurrection

Director Cooke stated that if anyone has seen the DCJS website's main page lately, you may have noticed a link where people can sign-up to receive our newsletter. We have been working on revamping and resurrecting our online newsletter. He concluded by stating that we are planning on publishing it at least quarterly, disseminating each issue via an e-mail that will contain links to that issue's articles and that it is the agency's hope to resume publication within the next couple of months.

Legislative Proposal

Director Cooke stated that they are working on getting the code of Virginia amended so that some hearings required in connection with the Board's regulatory responsibilities; for example, revoking a private security license or certification can be conducted by the Board's Executive Committee instead of the full Board. In consultation with the AG's office we have prepared a legislative proposal to get this done. In closing, Director Cooke stated that they have submitted this proposal to the Secretary of Public Safety for review and, perhaps for inclusion in the Governor's legislative package for the 2008 session.

This concluded Director Cooke's report. Chairwoman Arthur thanked Director Cooke for his report and asked the Board if they had any comments or questions. Mr. Bushnell asked for clarification on Director Cooke's comment that we, along with other state agencies would be proposing a budget reduction plan to be submitted up to the Governor and the General Assembly at its next session. Director Cooke stated that this is correct. We have been asked to work with our Secretariats to look at strategies. Mr. Bushnell further commented that it sounded like the Governor does not anticipate currently making any administrative cuts as was necessitated during the Warner Administration. Director Cooke stated that we have not received any instructions to that nature. We have been asked to look at our operating budgets and to work with our Secretariats. In conclusion, Director Cooke stated that he would keep the Board informed as we move forward with this. There were no further questions or comments.

Committee on Training (COT) Report

Chairwoman Arthur called upon Sheriff Phelps to give a brief report on the Committee on Training. Sheriff Phelps reported that the Committee on Training met this morning at 9:00 a.m. and at that time they held a public hearing on the Rules Relating to Instructor Certification Standards. Sheriff Phelps stated that as the Board may recall, this topic was discussed at a previous meeting and was presented to the Board, however, because of an oversight we were required us to readdress this issue due to the fact that the notice for the public hearing was not posted properly and therefore had to be reposted, and another hearing was held today. He stated that there were no requests made by anyone to speak in regard to this issue and Mr. Gotschalk presented the committee with the information. The recommendation from the COT is that we approve the rules as they were presented at the last meeting.

Chairwoman Arthur thanked Sheriff Phelps for his report on the Rules Relating to Instructor Certification Standards and asked if there were any questions or comments. There were none. Chairwoman Arthur then called for a motion. Sheriff Phelps made a motion to accept the recommendation from the COT, and Mr. Vaughn seconded the motion. There were no recusals.

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the COT regarding the Rules Relating to Instructor Certification Standards.

Sheriff Phelps further reported that during the COT meeting this morning, Ms. Kirkendall gave a brief presentation on the Law Enforcement Curriculum Review Committee Report on the data collection that is currently being done related to firearms use. Ms. Kirkendall indicated that the issue was related to the different types of firearms used by criminal justice agencies; mainly in regard to the use of shotguns. According to Sheriff Phelps, Ms. Kirkendall stated that 78 agencies responded to that survey and that 72 of the 78 agencies still require shotgun training. Sheriff Phelps concluded that this issue will be brought back to the committee at the December meeting, however, there is a possibility that there will not be any changes to the standards at that time.

Sheriff Phelps stated that Ron Bessent gave a brief update on Alzheimer's Training for First Responders. In total for this year they have trained a total of 627 officers and emergency responders.

Sheriff Phelps reported that George Gotschalk gave a brief presentation on the Criminal Justice Plan, which was addressed in Director Cooke's report. Mr. Gotschalk also addressed another issue on leadership development for Chiefs and Sheriffs and stated that this seems to be progressing very well. Sheriff Phelps stated that Mr. Gotschalk also brought up the issue and concern of HR218, which is in congress concerning retired law enforcement officers be allowed to carry firearms across state lines. He stated that this is another issue that could come up in the near future. Sheriff Phelps stated that there were no public comments and the next meeting is set for December 13, 2007.

This concluded Sheriff Phelps report on the Committee on Training. Chairwoman Arthur thanked Sheriff Phelps for his report and asked the Board if they had any questions or comments. There were none.

Victim/Witness Issues Subcommittee Report

Chairwoman Arthur called upon Mr. Jeff Dion to give a brief report on the Victim/Witness Issues Subcommittee Report. Mr. Dion stated that this subcommittee will have a meeting immediately following this meeting today and he would have a report at the next scheduled Board meeting. This concluded Mr. Dion's report. Chairwoman Arthur thanked Mr. Dion for his brief report.

Presentations

Crime Prevention Community Re-certification – Hanover County (Handout)

Chairwoman Arthur called upon Mr. Walter McFarlane to give a brief report on the Crime Prevention Community Re-certification for Hanover County.

Mr. McFarlane began his report by stating that the subcommittee met last week and went over the proposal to re-certify Hanover County. He further stated that the subcommittee found that application to be meritorious and that one of the things that were important to note with this particular re-certification is that once Hanover County was originally certified, the Sheriff's department continued to move forward and has progressed further from their original certification.

Mr. McFarlane stated that overall, each of the programs in place has involved the community to a great extent. He then pointed out and highlighted a few of the programs; one being the "Delinquency Prevention Program". He stated that the particulars there are outstanding in that 83% of the Hanover County Public School system students either attend a 2 or 4 year college upon graduation, and their drop out rate is less than 1%.

Mr. McFarlane also noted that Hanover County's Sheriff's Office was the first full time Sheriff's Office to be accredited by both the Commonwealth of Virginia and by CALEA.

In summary, Mr. McFarlane mentioned that the Subcommittee would like to bring the Board's attention to one of Hanover's strongest programs; TRIAD, of which Hanover County's is one of the strongest programs in the State of Virginia. He further stated that there are over twenty deputies trained in the Project Lifesaver Program. He reported that this is a program where the Deputies adopt a homebound senior and visit that senior at least once a week. This provides significant comfort to senior citizens as well as their families. Finally, he stated that Hanover has also continued to emphasize a strong Crime Prevention Task Force and that 3 of the members of the Hanover Sheriff's Office is here with us today, of which he had the pleasure of meeting and congratulating them. Mr. McFarlane also thanked Rick Arrington and Tami Wyrick (DCJS) for all of their hard work and support.

Accordingly, by way of a motion, Mr. McFarlane stated that the Subcommittee recommends to the Board that they re-certify Hanover County as a Certified Crime Prevention Community. Chairwoman Arthur thanked Mr. McFarlane for his report and acknowledged Captain Davidson and his staff who was present from the Hanover County Sheriff's Office. The Board and the audience offered their congratulations as well, by way of applause.

Chairwoman Arthur asked the Board if they had any questions or comments. There were none. Chairwoman Arthur then called for a second motion of which Mr. Bushnell seconded. There were no recusals.

Chairwoman Arthur stated that it had been motioned and seconded that the County of Hanover be re-certified as a Crime Prevention Community.

Chairwoman Arthur further mentioned that the re-certification for the City of Radford would not take place today as originally noted on the agenda.

Albemarle County Victim/Witness Program

Chairwoman Arthur then called upon Ms. Sandra Abbott, Assistant Director of the Albemarle County Victim/Witness Program to give a brief presentation on their program.

Ms. Abbott began her presentation by stating that the Albemarle County Victim/Witness Program was established in 1983, and was placed in the newly formed Albemarle County Police Department. She stated that it was a single person program until 1997 at which time they were fortunate to receive a grant award from DCJS which created funds for them to have 2 additional positions. Currently they have received awards in the amount of \$82,849.00, which covers the salary of their program assistant, some of her salary, training, office supplies, and some of their operating expenses.

Ms. Abbott stated that since Albemarle County depends very heavily on this program, they fund the Directors salary, some of the operating expenses, and the vehicles they drive. In FY 2007, the Albemarle County Victim/Witness Program provided services to 1850 crime victims. Ms. Abbott stated that their services are also available to the University of Virginia since a portion of the university is located in Albemarle County.

Ms. Abbott further stated that what they have found is that fortunately most people have never been a victim of a crime and do not know what to expect when they are thrust into the criminal justice system for the first time and need direction. Victims need direct information on the process of the system, court dates, and what to expect. She stated that often time we feel as though we are interpreters of what the Police, the Prosecutor, or the Judge has just said and done. Ms. Abbott stated that the program was designed to address and represent victims' thoughts and concerns to the Police and the Prosecutor.

In accordance with the Victims of Crime Act, their daily activities include, but are not limited to; notifying victims of court dates, accompanying victims to court meetings with the Commonwealth Attorneys and the Police, assisting victims with filing claims with the Criminal Injuries Compensation Fund and facilitating victims to be notified of a prisoner's release. They also help victims to compile restitution figures and help victims to assist with the victim impact statement for sentencing.

Ms. Abbott continued by stating that their program also provides crisis intervention information about the police process, procedures of the court, transportation, referrals, etc. for victims of sexual assault, serious domestic assaults, and homicides. She stated that Albemarle County also has a fairly unique practice in the area of family abuse protective orders. Ms. Abbott concluded that their program provides 24 hour on-call coverage to Albemarle County residents.

Chairwoman Arthur thanked Ms. Abbott for her report and also acknowledged Ms. Deborah Graham, Program Assistant and Director and thanked them for attending the meeting today to provide the Board with this information. Chairwoman Arthur then called for comments or questions.

Mr. Dion asked a series of questions; one relative to the services offered to victims given the fact that their office is located in the Police Department vs. being located in the Commonwealth Attorney's (CA) office where most of the Victim/Witness Programs are placed. Mr. Dion's second question related to having access to the Commonwealth Attorney's office and serving as liaison to the CA's office during prosecution of the case. Ms. Abbott answered questions satisfactorily. There were no further questions or comments.

Richmond Court Appointed Special Advocate (CASA) Program (Handouts)

Chairwoman Arthur then called upon Ms. Terry Willie-Surrat, Executive Director of the Richmond Court Appointed Special Advocate (CASA) Program to give a brief overview of the program.

Ms. Willie-Surrat reported that the City of Richmond CASA Program formed in April, 1990 and is currently one of 950 CASA programs nationwide, and 1 of 26 programs statewide. CASA's mission is to ensure that the City of Richmond's abused and/or neglected children live in a safe and permanent home. CASA volunteers are authorized by the Code of Virginia and governed by a volunteer Board of Directors. Ms. Willie-Surrat noted that CASA volunteers investigate cases, provide factual information to the court, submit written reports with recommendations, monitors cases for compliance with court orders, assist the Attorney, and reports abuse and neglect.

CASA volunteers are from all walks of life with a variety of educational and ethnic backgrounds and are court appointed advocates by a Judge to advocate for the best interest of children who are abused and/or neglected. A CASA volunteer must determine if it is in a child's best interest to stay with his or her parents or guardians, be placed in foster care, be placed with relatives, or be freed for permanent adoption.

A CASA volunteer provides a Judge with careful researched background of the child to help the court make a sound decision in regard to the child's future. A CASA volunteer may only serve a maximum of 3 children or 2 sibling groups at a time. Research suggests that children who have been assigned CASA volunteers tend to spend less time in court and less time within the foster care system than those who do not have CASA representation. Judges have observed that CASA children also have better chances of finding permanent homes than non-CASA children.

Ms. Willie-Surrat concluded by stating that there is a handout with additional information on the CASA Program included in Board member packets.

Chairwoman Arthur thanked Ms. Willie-Surrat for her presentation and asked the Board if they had any comments or questions. Mr. Bushnell asked a question regarding the selection of cases, and secondly, how they avoid Social Services giving kids to CASA. Ms. Willie-Surrat answered the questions satisfactorily.

Judge Williams inquired on the training of volunteers and about what happens to inactive volunteers in the form of keeping up with training. Ms. Willie-Surrat answered the questions satisfactorily.

In addition to a general question, Mr. Dowe inquired about how CASA recruits volunteers and whether or not they do background checks. Ms. Willie-Surrat stated yes, they do extensive background checks.

Chairwoman Arthur thanked Ms. Willie-Surrat for her report and stated that we will continue to have presentations from local programs at these Board meetings because these types of presentations are very informative to the Board.

Nominations and Appointments – Private Security Services Advisory Board (Handout)

Chairwoman Arthur called upon Sheriff Phelps to give a brief report on the Nominations and Appointments Subcommittee regarding the Private Security Services Advisory Board Appointment.

Sheriff Phelps stated that Mr. Hodges was unable to attend the meeting today, therefore, he would be giving the report from the Nominations and Appointment Subcommittee. Due to mid appointment resignation, a vacancy was created for the appointment of Bail Bondsman representative on the Private Security Advisory Services Board. The individual appointed to this position will fulfill the remainder of the existing term which expires June 30, 2008.

Sheriff Phelps reported that the committee received a total of two applications and have evaluated both applications prior to making a recommendation. Based on the evaluation, the subcommittee would like to recommend Mr. Carl D. Armstrong for appointment to the Private Security Advisory Board as the Bail Bondsman representative. Sheriff Phelps further mentioned that Mr. Armstrong has been a Surety Bail Bondsman since 1987 and is currently licensed with DCJS. Mr. Armstrong is the sole proprietor of a successful, ethical and professional bonding business in Northern Virginia. He is a subject matter specialist for the bail bondsman training program offered by the Central Training Academy, a DCJS certified private security services training school.

Mr. Armstrong has been involved with the Virginia Bondsmen's Association since 1990, serving first as Treasurer for 5 years; Vice President for 3 years; as well as President of the Association for 6 years. He has also served on the Bail Bondsmen Advisory Committee for the Virginia Crime Commission during their study conducted based on House Resolution 201. In addition, he has also served on ad hoc committees for the Department of Criminal Justice Services in order to assist with the implementation of the Bail Bondsmen Licensure Program in Virginia. Mr. Armstrong has been involved in the bail bonding industry for over 20 years and has always been involved with legislature and working with the courts to improve the bail bonding system in Virginia. This concluded Sheriff Phelps' report of which he then made a motion to recommend Mr. Carl D. Armstrong for appointment to the Private Security Services Advisory Board as the Bail Bondsmen representative.

Chairwoman Arthur thanked Sheriff Phelps for his report and asked the Board if they had any comments or questions. There were none. Chairwoman Arthur then called for a second motion. Mr. Vaughn seconded the motion. There were no recusals.

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the Nominations and Appointment Subcommittee to appoint Mr. Armstrong to the position of Bail Bondsmen representative on the Private Security Services Advisory Board.

CASA Regulations

Chairwoman Arthur called upon Melissa O'Neill to give a brief report on the CASA Regulations.

Ms. O'Neill stated that the CJSB has the responsibility in the *Code* to promulgate regulations for CASA. She stated that some of the questions posed by the Board earlier regarding training, and screening are identified in the regulations. She further stated that we are currently in the process of revising our regulations and we have proposed regulations that were released on September 4, 2007. The public comment period began at that time. The public hearing has been scheduled for November 16, 2007 at 10:00 in the General Assembly Building, in House Room C, and we expect to bring to the Board in December, a final draft of these regulations for consideration.

Chairwoman Arthur thanked Ms. O'Neill for her report and then asked the Board if they had any comments or questions. There were none.

Chairwoman Arthur then mentioned that pursuant to section 9.1-151(A), the Criminal Justice Services Board is responsible for promulgating regulations for the Court Appointed Special Advocate Programs. She stated that the proposed regulations have been approved by the Governor and were anticipated to be made available for public comment by September 4, 2007.

Chairwoman Arthur stated that the practice in the past has been for the Chairperson to appoint a Subcommittee of the CJSB members and the CASA/CJA Advisory Committee members to receive public comment at the public hearing. Based on the public comment, the regulations will be revised and presented to the full CJSB at the December 13, 2007 meeting for approval.

Chairwoman Arthur then announced that the following individuals have been selected to serve on this Subcommittee along with CASA/CJA Advisory Committee members for the purpose of a Public Hearing for CASA Regulations:

- Ms. D.J. Geiger (new representative will serve)
- Mr. Alfred Dowe
- Mr. Barry Green
- Dr. Jay Malcan
- Mr. Edward Macon
- Sheriff Charles Phelps
- The Honorable Archer Yeatts

Chairwoman Arthur announced that the public hearing for the CASA Regulations is scheduled for November 16, 2007. Chairwoman Arthur stated that the members will be contacted by staff shortly regarding the first meeting of this Subcommittee. Should anyone be unable to serve on this Subcommittee, please advise Priscilla Bowers immediately.

Nominations and Appointments - Court Appointed Special Advocate/Children's Justice Act (CASA/CJA) Advisory Committee Reappointment (Handout)

Chairwoman Arthur called upon Sheriff Phelps to give a brief report on the CASA/CJA Advisory Committee Reappointment.

Sheriff Phelps stated that the CJSB has the authority to appoint members to the CASA/CJA Advisory Committee. The committee has received one nomination, Ms. Lauren Caudill (brief bio included in packet), is nominated for the position of Defense Attorney and would serve a four year term if appointed. The Nominations and Appointments Subcommittee has met to review the candidate's qualifications and has found the nominee to be outstanding.

Sheriff Phelps stated that Ms. Caudill, Esquire, graduated from the University of Richmond, T.C. Williams School of Law in 1989. Shortly thereafter, she accepted a position in the law office of Michael Morchower, Esquire. Ms. Caudill is currently a partner in the firm, Jacobs and Caudill where she specializes in criminal law, domestic relations, and guardian ad litem work. Ms. Caudill primarily represents clients in the courts in Henrico County, Chesterfield County, and the City of Richmond.

On behalf of the Nominations and Appointments Subcommittee, Sheriff Phelps made a motion to recommend Ms. Caudill for the position of Defense Attorney.

Chairwoman Arthur thanked Sheriff Phelps for his report and then asked the Board if they had any comments or questions. There were none.

Chairwoman Arthur then called for a second motion. Mr. Dowe seconded the motion. There were no recusals. Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the Nomination and Appointment Subcommittee to appoint Ms. Caudill to the position of Defense Attorney on the Court Appointed Special Advocate/Children's Justice Act Advisory Committee.

Campus Security Update

Chairwoman Arthur called upon Mr. Leon Baker to give a brief update on Campus Security.

Mr. Baker started out by stating that he was very pleased to come back in front of the Board to address this very important issue. Effective July 1, 2007, a new law went into effect that requires DCJS to do a number of things related to the campus security program. One important factor is to establish minimum standards for employment, training and certification requirements for campus security officers. Also, we have the responsibility of providing technical support and assistance to campus security police and security departments, as well as establish Advisory Committees to address all of these issues.

Mr. Baker stated that the Advisory Committee has been put into place, and a number of workgroups established, that are working on these issues. Presently they have had several meetings to date and have come up with things they have been able to address; one being a "job task analysis" regarding the actual certification training requirements for campus security

officers. Campus police officers already have certification training requirements and therefore this is not our main focus at this time. Mr. Baker stated that it is turning out to be a much larger task than anticipated, given the fact that this is a new program. He stated that the committee first needed to determine who would be considered a campus security officer. Officers clearly in uniform are considered campus security officers, but then you have for instance; fraternities, uniformed people providing escort services at night, staff who sit at the front desk to check visitors into the dorms, and people who provide security at games. These are some of the complex situations that we are dealing with to determine who should be considered campus security officers.

Mr. Baker stated that the committee has decided to address two main groups and the basic training for which all campus security officers will have to go through. The committee has come up with two basic classifications for campus security officers: Campus Security Officer 1 and Campus Security Officer II. All campus security officers will have to go through the Campus Security Officer 1 training and those who are doing advanced functions on campus will be classified as a Campus Security Officer II. The Campus Security Officer II would be involved in more training than the Campus Security Officer 1.

Mr. Baker stated that they have documented and set aside some of the gray areas that they have to look at that may require some legislative updates and changes. He said there would be about an 18 month process of which to bring to the Board a set of regulations for approval, but in the meantime they will have to promulgate some regulations to get the certification program for campus security personnel underway.

In conclusion, Mr. Baker stated that currently, colleges and universities already have their own training programs and what we are doing is putting together a uniform program to make sure that everyone has at least met the compulsory minimum training standards.

Chairwoman Arthur thanked Mr. Baker for his report and asked the Board if they had any comments or questions. Dr. Malcan inquired as to whether or not the department would use the criminal justice academies for this training? Mr. Baker stated that this has not been determined yet. Judge Williams asked Mr. Baker to clarify the two levels of security officers and inquired about technology issues. Mr. Baker clarified the different level of security officers and satisfactorily answered the question on technology issues. Director Cooke also mentioned that the Governor recently convened a summit on Campus Security and stated that it is expected that this summit will occur again next year. He said that the Office of Commonwealth Preparedness facilitated this summit and brought together public safety officials, campus security officials, academia, as well as technology companies to see how technology can assist in the area of campus security.

Mr. Bushnell asked if “campus security” was defined in the *Code of Virginia* to determine who would be considered a campus security officer and whether or not we would have to come up with a definition? Mr. Baker stated that the Advisory Committee has addressed this issue and will come up with a definition that will be proposed.

Sgt. Condon inquired about armed security officers and stated that he assumed this would be only Level II Security Officers who would be armed, and whether they would have to meet the same criteria as campus police? Mr. Baker stated that if they were going to be armed, there would be a separate set of training standards that they would have to meet and that it is possible that Level I Security Officers might also be qualified to be armed. There were no further questions.

Consideration of Grant Applications

Juvenile Justice and Delinquency Prevention (JJDP) Advisory Committee

JJDP Title II Continuation Grants

Chairwoman Arthur called upon Mr. Charles Martin to give a brief report on the JJDP Title II Continuation Grants. First, Mr. Martin thanked Sheriff Phelps and Dr. Malcan for doing a fine job with the JJDP Advisory Committee and the Subcommittee. Mr. Martin then stated that the Board had before them summaries of 4 Juvenile Justice and Delinquency Prevention (JJDP) Title II continuation applications. He stated that 1 of the 4 continuation applications (City of Norfolk) was withdrawn by the locality. The grants subcommittee of the Advisory Committee on Juvenile Justice reviewed the summaries and recommended funding of the remaining 3 applications. The full Advisory Committee then reviewed the subcommittee's recommendations and recommends full funding to the 3 continuation applications (Hampton, Loudon, and the City of Richmond).

Chairwoman Arthur thanked Mr. Martin for his report and asked the Board if they had any comments or questions. Judge Williams inquired as to why the City of Norfolk withdrew their application. Mr. Martin stated that Norfolk withdrew their application because of a long standing staff vacancy and the fact that they were not prepared to further request funding, however, they did request continued funding from "07". There were no further questions.

Chairwoman Arthur then called for a motion. Mr. Webb made the motion and Dr. Malcan seconded the motion.

Recusals: Mr. Edward Macon Hampton Court Services Unit

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the Advisory Committee to fund the 3 continuation grants for Hampton, Loudon and the City of Richmond.

Juvenile Accountability Block Grants (JABG)

Chairwoman Arthur called upon Mr. Martin to give a brief report on the JABG applications. Mr. Martin stated that the Board also had before them summaries of 2 JABG applications. He stated that the grants subcommittee of the Advisory Committee on Juvenile Justice reviewed these applications and presented recommendations to the full Advisory Committee which concurred with its recommendations. He further stated that there was a very active discussion at the subcommittee level and an open discussion at the full committee level, as well. The result was that the UVA grant be approved with reduced funding. He reported that UVA requested

\$502,812 and the recommended approval was \$420,912. The difference between their request and what was granted was based on the fact that they had received an additional grant which funded a portion that dealt with Spanish translation and therefore the subcommittee and the full committee felt very comfortable with the reduced recommendation.

Mr. Martin then went on to say that the Supreme Court request for \$400,000 that dealt with drug treatment courts was denied by the subcommittee as well as the full committee because they submitted an application for additional funding for an existing program, and the RFP was for new programs. Mr. Martin stated that the subcommittee and the full committee wanted to make it very clear to this Board, that they are 100% behind the drug treatment courts and their success, and that these were excellent programs that should be continued, however, the RFP was for new programs. As a result, the committee recommends funding the application for UVA at a reduced amount and denying the application for the Supreme Court.

Chairwoman Arthur thanked Mr. Martin for his report and asked if there were any comments or questions. Mr. Macon inquired as to whether or not anyone had contacted the Supreme Court to give them the opportunity to withdraw their application? He further stated that based on Mr. Martin's report, perhaps the application should have been withdrawn. Mr. Martin called upon Ms. McNeil to address the question. Ms. McNeil stated that once a grant is reviewed and denied, staff does not make contact with the grantee in regard to withdrawal of the application. She said it is customary for the grantee to contact DCJS if they would like to withdraw their application.

Ms. Finch inquired about the Request for Proposals (RFP) for this grant. Ms. McNeil stated that when putting out an RFP, specific guidelines have to be met. One of the guidelines is that it has to be either a new program or an enhancement to an existing program and should not be supported by other funds. She further stated that the drug treatment courts are an existing program and they were requesting funds that are currently being provided to them by other sources.

Mr. Bushnell commented and asked for clarity on his understanding of the drug treatment court's request and this denial. He inquired: as the result of the denial of this grant, localities which are currently paying for existing drug courts will not be reimbursed for those costs through the Supreme Court, is that correct? He said; in other words, the denial of the grant is not going to shut down the drug treatment courts; it will simply require the localities to continue paying for it, correct? Ms. McNeil answered; that is correct. The denial of the grant will not stop the drug treatment court programs and whatever funding they are receiving, they will continue to receive.

Chairwoman Arthur thanked Mr. Martin for his report and Ms. McNeil for her comments and then asked for a motion to approve the recommendations of the JJDP Advisory Committee. Sheriff Phelps made the motion and Mr. Dowe seconded the motion.

Recusals:	Judge Marcus Williams	Fairfax
	Mr. Edward Macon	Supreme Court

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendations of the JJDP Advisory Committee to approve the grant to UVA and to deny the grant to the Supreme Court.

Corrections Subcommittee

Offender Reentry and Transition Services (ORTS) - One Time Award Initiative Grant

Chairwoman Arthur then called upon Mr. Dan Catley to give a brief report on the ORTS (One Time Award Grants).

Mr. Catley began by stating that they are asking the Board for support for a grant of existing funds that DCJS has made available for the one time initiative with our Offender Reentry and Transition Services Programs. He stated that this is a process the Correctional Services Section has not done before, but the Board has worked with the department on many grants and one-time grants on occasion in the past. He said, this method would allow us to get money into the hands of the programs after your review of our one-time grant request, rather than wait until we have received grant applications from a variety of programs, and then bring them back to the Board for approval at a later date. In this case, the grant start date could be as soon as October 1, 2007; rather than waiting for the December meeting for a January 1st start date. We currently have the sum of approximately \$900,000 unspent, primarily due to overlap in timing of a federal award with the timing of the State Appropriations for Re-entry Services. What we propose is to make available up to \$150,000 to 3 specific new programs and up to \$750,000 for 9 existing Offender Re-entry/Transitional Service providers.

Mr. Catley stated that these providers have been unable to do much more than pay salaries for the last few years and that in 2002, the money from the State general fund for these programs was completely removed from the budget and therefore they had to pursue federal funds to keep these programs alive. Mr. Catley further stated that our providers have not been able to do much more than provide flat funding for salaries and have not been able to replace any of their software and hardware, print training materials, and meet their staff's need of in-house training and other non-personnel related needs.

Mr. Catley went on to say that DCJS has been tasked by the General Assembly to evaluate the Offender Reentry and Transitional Services Program. He added that this is going to be a difficult task because their individual databases are very primitive and are not easily comparable across the various programs. He said: we must get in there and upgrade their software and their existing information systems. He stated that the three localities mentioned previously do not have a Reentry and Transitional Services Program, and when we first saw this money, we did entertain applications thinking that we might be able to start programs. When we realized that we would not have any continuing source of funding for these programs, we then had to proceed to deny funding in 2007, solely because of lack of a guaranteed source of funds. After that fact, several of these programs did re-approach us and say that if only they had start-up programs, their localities would be willing to step up and provide these necessary services on a continuing basis.

So, with that in mind, we have thought to give mini grants of up to \$50,000 a piece so that we could fund new start-up efforts in the localities of Staunton, Culpepper and on the Eastern Shore. This is with assurances from these localities that there will be funding for continuation. Without that assurance, we would not give them these grants.

Mr. Catley concluded that they have not convened a formal meeting at the Corrections Subcommittee to discuss this matter due to the practicality of individuals having to drive to Richmond to review one grant from DCJS to DCJS. However, we did supply the Subcommittee with a complete and detailed project description for consideration and all responses received have been in the affirmative. He stated that all of the remaining grant packaging is complete including the application and guidance for the local programs so that we can move immediately upon the Board's approval. Mr. Catley asked that a member of the Subcommittee make the motion for approval if the Board was in favor of this approach.

Chairwoman Arthur thanked Mr. Catley for his report and asked the Board if they had any comments or questions. There were none. Chairwoman Arthur then called for a motion. Mr. Webb made the motion and Ms. Scott seconded the motion. There were no recusals. Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the Corrections Subcommittee for this one-time award initiative.

Law Enforcement Subcommittee

Byrne Justice Assistance Grants (JAG)

Chairwoman Arthur then called upon Mr. Walter McFarlane to give a brief report on the JAG Grants.

Mr. McFarlane began his report by stating that the Law enforcement Subcommittee met on August 16, 2007 after the Law Enforcement Unit completed training for subcommittee members. Members in attendance were Mr. Vaughn, Sheriff Phelps, Chief Lavinder, and Mr. Favale (proxy for Ms. Decker). There were 3 grant applications presented by DCJS staff in the following areas: Law Enforcement Services and Administration. All were recommended for approval. There was one application from Orange County requesting funding for a School Officer. Two applications were from DCJS requesting funding for one full time position and one part-time position, both of which will support the department's efforts to carry out its planning and policy responsibilities as set out in the *Code of Virginia*. The total amount recommended is \$136,978 in federal funds. Mr. McFarlane made the motion to accept the Law Enforcement Subcommittee's recommendation to fund all 3 grants.

Chairwoman Arthur thanked Mr. McFarlane for his report and asked the Board if they had any comments or questions. There were none. Chairwoman Arthur then called for a second motion. Mr. Vaughn seconded the motion. There were no recusals.

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendations of the Law Enforcement Subcommittee to approve the grants as stated above.

School Resource Officer's Grants

Chairwoman Arthur called upon Mr. McFarlane to give an update on the School Resource Officer's Grants. Mr. McFarlane stated that at the June 14, 2007 Board meeting we tabled for consideration until this meeting, 6 grants from 3 different counties; Grayson, Giles and Bland to

give them the opportunity to come forward and to provide additional information and to revise their grant submissions. The problem has been that Giles and Bland Counties did not come forth with efforts that met the grant application in accordance with staff requirements, and Grayson has not submitted any revisions to their grant submission either. Although they have been given the opportunity to resubmit the necessary requirements, and they were fairly reviewed by the staff, there is a concern relative to whether or not we should go ahead and give them the grants requested, as this would then place a concern for whether we would maintain clear and fair rules that would equally apply to all applications.

McFarlane stated that the Subcommittee did not perform a second review of the applications because they did **not** meet the standards. The staff feels very strongly that these counties should **not** be awarded and is making a recommendation to the Board as such. On behalf of the Subcommittee, Mr. McFarlane stated that he feels comfortable making a motion to the Board that the grants **not** be awarded. He then stated that staff is available to answer questions beyond this decision.

Chairwoman Arthur thanked Mr. McFarlane for his report and then called for any comments and questions.

Mr. Bushnell stated that he believes from what he has heard from these reports, is that we have met these folks more than half way and after months of begging from us to the top officials, they still have not complied. He said that if the officials in these localities are just too busy to take the time to fill out the paperwork that everyone has to fill out, he would second the recommendation motion made by Mr. McFarlane that these grant applications be denied.

Chairwoman Arthur also added that she and Director Cooke had previously discussed this issue. She stated that Director Cooke has spoken with Mr. McGrady and he is aware of the circumstances and is comfortable with the denial of the grant application from Grayson County.

At this point, Chairwoman Arthur called for additional comments and discussion. Ms. Neadie Lee (DCJS staff) approached the podium and stated that 2 of the 3 counties **did** resubmit their application with revisions; Giles and Bland County, however, there was no resubmission from Grayson County.

Chairwoman Arthur then asked if the Subcommittee's position was to still deny the approval of these 3 grants based on this additional information? Mr. McFarlane stated, yes.

Mr. Bushnell stated that when he seconded the motion, he was under the impression that none of the 3 counties had resubmitted their applications. He then withdrew his second motion with regards to Giles and Bland and stated that Grayson County needed to be treated individually.

Chairwoman Arthur then stated that before we continue, someone needed to second the first motion that was already on the table. Mr. Dowe seconded the motion.

Chairwoman Arthur then asked for clarification as to whether or not the recommendation of the Subcommittee was still to deny the 3 counties after hearing that 2 of the 3 counties (Giles and Bland) resubmitted their applications with revisions. Mr. McFarlane then stated that the

applications were never reviewed by the Subcommittee and that staff is making the recommendation to the Board that the 3 applications be denied.

Mr. Vaughn stated that these counties were notified after the last Board meeting and given a chance to submit further information. They were told that a decision would be held off on their applications until after the September meeting and that they could prepare new information and the Board would consider it. Giles and Bland County has made an attempt to supply new information, but Grayson has made no attempt to submit any further information. The Board was made aware by staff that the position was made, that even though they submitted their additional information, it would remain DCJS' position that it would be unfair to other localities who submitted their information in a timely manner.

Chairwoman Arthur then asked: if it was fairly accurate to say that these counties were given an extension to supply additional information and setting aside the fact that they were late, based on the original deadline, would you still recommend the denial?

Ms. Lee stated that if we had given them the grant in view of the fact that they had apparently supplied a late, but satisfactory application, it would only be for 9 months instead of 12 months of operation for their program.

Mr. Macon then made a substitute motion that the Board defer its vote until the recommendation from the Subcommittee could be clarified after being given new and additional information.

A comment was made that the Board stated they would review this in September, and if we were to wait until December, then they may not submit this additional information because they would have lost about 5 months of a 12 month grant.

Chairwoman Arthur then reiterated her question: if these counties supplied the updated information in a timely manner, would staff recommend the funding?

Ms. Lee stated, yes. If they had submitted all this information in a timely manner, yes we would have funded them.

Mr. McFarlane then stated that contrary to what his understanding was from staff, he would like to make a motion to withdraw his original motion concerning the denial of these grants. Mr. McFarlane stated that his initial understanding from staff was that even though Giles and Bland submitted their additional information, they still did not meet the criteria. It is now his understanding from staff that they would meet the criteria. The fact that we had given Giles, Bland and Grayson Counties the opportunity to come forward in September, we should now come back and say to Giles and Bland, you have in fact satisfied what we have requested, and we will grant you the funding.

Mr. McFarlane stated that he really believes in the Subcommittee reviewing materials, but if we go back and wait until December on this particular instance; after we promised these counties that we would review in September, it would be contradictory to what we promised them. Mr. McFarlane's recommendation was that instead of going back to the Subcommittee, and given the fact that we are now being told by staff that Giles and Bland have satisfied all criteria and Grayson had not, he suggests we move forward on those recommendations. Mr. McFarlane

made a motion that Giles and Bland receive 9 months of funding and Grayson receive no funding. Mr. Vaughn seconded the motion. The motion was approved by all members of the Board. Chairwoman Arthur stated that it had been motioned and seconded that Giles and Bland Counties would receive 9 months of funding and Grayson County would receive no funding. There were no recusals.

Old/New Business

Chairwoman Arthur asked the Board if there was any old or new business to be discussed. There was none.

Public Comment

Chairwoman Arthur then called for public comments. There were none.

Next Meeting Date

Chairwoman Arthur reminded the Board that the next meeting of the Criminal Justice Services Board is scheduled for Thursday, December 13 at 11:00 a.m. in House Room “D” of the General Assembly Building. This is the last meeting of the year and Board member profiles will be submitted to the Secretary of the Commonwealth’s office. She also noted that Conflict of Interest Act Filings and Trainings will also be due in the December/January timeframe. We will keep you posted.

Chairwoman Arthur stressed the importance of attendance by Board members and asked that everyone make an effort to attend the last meeting of the year, so as to carry out the work of the Board.

Chairwoman Arthur also mentioned that we have proposed dates for the upcoming year, 2008. Members should note these dates on their calendars and be prepared to approve them at the December meeting. The proposed 2008 meeting dates are as follows:

March 13
May 8
June 12
September 11
December 11

Chairwoman Arthur also noted that the date of **September 11th** was going to be a conflict. Mr. Dowe also stated that September 11th would be a problem for all law enforcement. Chairwoman Arthur asked that we consider changing the date of this meeting based on feedback from the Board. Chairwoman Arthur then thanked the Board for their attendance at the meeting today.

Adjournment

Chairwoman Arthur then called for a motion to adjourn the meeting at approximately 12:35 p.m. Ms. Fahey made the motion and the Board unanimously seconded the motion.

Respectfully submitted,

Priscilla Bowers
CJSB Secretary

Approved:

Beth Arthur
Chairwoman